


## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:

**MAIL STOP: Non-Fee Amendment  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

on

1/28/04

  
\_\_\_\_\_  
Jeffrey R. Kuester

In re application of: Fleming et al.

Group No.: 2642

Serial Number: 10/637,178

Examiner: Unassigned

Filing Date: August 8, 2003

Title: **Networks, Systems and Methods for Routing Data Traffic Within a Telephone Network Based on Available Resources**

Attached are the following documents for filing with the USPTO:

Postcard  
Amendment Transmittal Form (1 Page)  
Preliminary Amendment  
Information Disclosure Statement  
PTO-1449 (1 Page)  
Cited Reference (A)

In re **PATENT** application of: Fleming et al.

Examiner: Unassigned

Serial No: **10/637,178**

Group No.: 2642

Filed: **August 8, 2003**

Docket No.: 190251-1771

**Title: Networks, Systems and Methods for Routing Data Traffic Within a Telephone  
Network Based on Available Resources  
AMENDMENT TRANSMITTAL LETTER**



**MAIL STOP: Non-Fee Amendment**  
**Commissioner For Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

Sir:

Transmitted herewith is an amendment in the above-identified application.

- |                                     |   |                                     |                              |
|-------------------------------------|---|-------------------------------------|------------------------------|
| <input type="checkbox"/>            | Response/Amendment                        | <input type="checkbox"/>            | Terminal Disclaimer          |
| <input type="checkbox"/>            | Fee as Calculated Below                   | <input type="checkbox"/>            | Corrected Drawings           |
| <input checked="" type="checkbox"/> | No additional fee is required.            | <input checked="" type="checkbox"/> | Other: Preliminary Amendment |
| <input type="checkbox"/>            | Small Entity status has been established. |                                     |                              |

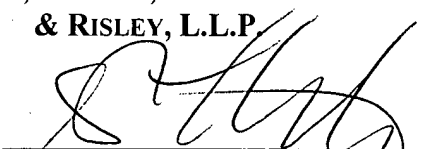
CLAIMS AS AMENDED FOR LARGE ENTITY					
	Claims After Amendment	Highest Prev. Paid For	Extra	Rate	Additional Fee
Total Claims	20	- 20	0	x \$18.00	= \$0
Independent Claims	3	- 3	0	x \$84.00	= \$0
Total Additional Fee for this Amendment					= \$0

- ☐ A check in the amount of \$            is enclosed.
- ☐ A Credit Card Payment Form PTO-2038 is attached in the amount of \$            .
- ☐ The Commissioner is hereby authorized to charge to our Deposit Account No.            the amount of \$            for the fee identified above. A duplicate of this Amendment Transmittal Letter is included herewith.
- ☒ The Commissioner is authorized to charge any insufficiencies, and the Commissioner is hereby requested to credit any overpayments to our Deposit Account No. 20-0778.

Customer No.: 38823

**THOMAS, KAYDEN, HORSTEMEYER  
& RISLEY, L.L.P.**

Date: 1/28/04

  
\_\_\_\_\_  
**Jeffrey R. Kuester, Reg. No. 34,367**  
Attorney for Applicant(s)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Confirmation No.: 3924

Fleming *et al.*

Group Art Unit: 2642

Serial No.: 10/637,178

Examiner: To Be Assigned

Filed: August 8, 2003

Docket No. 190251-1771

For: **NETWORKS, SYSTEMS AND METHODS FOR ROUTING DATA TRAFFIC WITHIN A  
TELEPHONE NETWORK BASED ON AVAILABLE RESOURCES**

**PRELIMINARY AMENDMENT**

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant(s) respectfully request entry of the following amendment and remarks contained herein and that the following amendments and remarks contained herein place the instant application in condition for allowance.

**AUTHORIZATION TO DEBIT ACCOUNT**

It is believed that no extensions of time or fees for net addition of claims are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to deposit account no. 20-0778.